



Ontario: Annual Statutes

1984

c Pr16 London Regional Art Gallery Act, 1984

Ontario

© Queen's Printer for Ontario, 1984

Follow this and additional works at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes

Bibliographic Citation

London Regional Art Gallery Act, 1984, SO 1984, c Pr16

Repository Citation

Ontario (1984) "c Pr16 London Regional Art Gallery Act, 1984," *Ontario: Annual Statutes*: Vol. 1984, Article 85.

Available at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes/vol1984/iss1/85

This Statutes is brought to you for free and open access by the Statutes at Osgoode Digital Commons. It has been accepted for inclusion in Ontario: Annual Statutes by an authorized administrator of Osgoode Digital Commons.

CHAPTER Pr16

An Act respecting the London Regional Art Gallery

Assented to November 27th, 1984

Whereas The Corporation of the City of London hereby applies for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the application; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpretation

- (a) “Board” means the Board of Directors of the Gallery;
- (b) “Corporation” means The Corporation of the City of London;
- (c) “Gallery” means London Regional Art Gallery;
- (d) “General Membership” means the General Membership referred to in section 6.

2.—(1) London Regional Art Gallery is hereby continued as a non-profit corporation without share capital. Gallery continued

(2) The objects of the Gallery are,

Objects

- (a) to collect, preserve, house and display art of all forms;
- (b) to promote interest in, and advance the study, knowledge and appreciation of, art of all forms;
- (c) to provide facilities for the preservation, storage, housing and display of art of all forms; and
- (d) to provide for education and instruction in art of all forms and for facilities for such education and instruction.

Board of
directors

3.—(1) The Gallery shall be under the management, regulation and control of a board of directors consisting of,

- (a) one person appointed by and from the council of the Corporation for such term of office not exceeding three years as the council shall decide;
- (b) one person appointed by and from The London Public Library Board for such term of office not exceeding three years as the library board shall decide;
- (c) one person elected by and from Canadian Artists' Representation for such term of office not exceeding three years as Canadian Artists' Representation shall decide;
- (d) two persons elected by and from the Volunteer Committee of the Gallery for such term of office not exceeding three years as the Volunteer Committee shall decide;
- (e) eight persons elected by and from the General Membership for such term of office not exceeding three years as the General Membership shall decide; and
- (f) five persons elected under subsection (2) for such term of office not exceeding three years as the Board shall decide.

Idem

(2) The directors appointed or elected under clauses (1) (a) to (e) shall elect the five directors referred to in clause (1) (f) and one of the five directors shall be a professional artist residing in the City of London and who is not a member of Canadian Artists' Representation.

Idem

(3) The Board and the electing and appointing bodies referred to in clauses (1) (a) to (e) shall, in consultation with each other, stagger or vary the length of the terms of office of directors appointed or elected by them so that as nearly as possible the terms of office of four directors shall expire annually and where the Board and the electing and appointing bodies are unable to agree on the order in which directors' terms are to expire, the Board shall determine the matter.

Idem

(4) The failure to appoint or elect a director as provided in subsection (1), (2) or (6) does not invalidate the composition of the Board or impair the powers of the Board or of the remaining directors and, where a default continues for three

months after an appointment or election should have been made, the remaining directors may, but are not obliged to, elect a director to fill the vacancy.

(5) A vacancy on the Board occurs when a director resigns, dies or becomes incapable of acting as a director or where the Board by resolution entered upon its minutes declares the seat of a director to be vacant by reason of his or her absence from three consecutive meetings of the Board without being authorized so to do by the Board. Board vacancy

(6) Where a vacancy on the Board occurs before the term of office for which a person has been appointed or elected has expired, the vacancy may be filled by the same authority which appointed or elected the person whose seat is vacant, and a person so appointed or elected shall hold office for the remainder of the term of office of the person whose seat is vacant. Idem

(7) Directors shall hold office until their successors are appointed or elected and, subject to subsection (8), are eligible for reappointment or re-election. Reappointment

(8) No director shall hold office for more than two consecutive terms commencing after this section comes into force excluding therefrom a term reduced under subsection (3) or the balance of an unexpired term for a person appointed or elected to the Board under subsection (6), but any such director shall again be eligible for reappointment or re-election after a lapse of one year after the expiration of the second of the two consecutive terms. Idem

(9) The directors shall serve without compensation, and no director shall, directly or indirectly, receive any profit as such but reasonable expenses incurred by any director in the performance of his or her duty may be paid. Directors to serve without compensation

(10) The term of office of the directors of the Gallery in office when this Act comes into force shall expire ninety days after the date this Act comes into force. Transition

4. The Board shall appoint or elect a president and a vice-president annually from among the directors and may provide that, upon the expiration of the term of office of the president, the vice-president shall become the president of the Board. President and vice-president

5.—(1) The Board may elect from among the directors an executive committee consisting of six directors and the Board may delegate to the executive committee any powers of the Executive committee

Board subject to any restrictions imposed from time to time by the Board.

Quorum

(2) The executive committee may fix its quorum which shall be not less than one-half of its members and no business shall be transacted by the executive committee except at a meeting of its members at which a quorum of the executive committee is present.

Committees

(3) The Board may establish such other committees as the Board considers necessary and may delegate to any such committee such powers and duties as the Board may determine.

Advisory
committee

(4) The Board may appoint an advisory committee composed of such persons as the Board may determine.

General
membership

6. The Board may recognize and designate those persons who from time to time make subscriptions, gifts or donations of funds to the Gallery for any of its purposes as a General Membership consisting of the following categories or such other categories as the Board may establish from time to time:

1. Individual donors.
2. Corporate donors.
3. Patrons.
4. Benefactors.
5. Sustaining members.
6. Life members.

Powers of
Board

7. The Board has such powers as are necessary for the purpose of carrying out its objects including the power,

- (a) to purchase or otherwise acquire and to hold and to sell or otherwise dispose of any real or personal property for the purposes of the Gallery;
- (b) to plan, erect, alter, maintain, operate and manage an art gallery or art galleries within the City of London;
- (c) subject to the *Charitable Gifts Act*, to collect and raise money by way of grants, gifts, donations, bequests, legacies and other payments and to hold, expend or deal with such funds; and

- (d) to invest, in investments authorized under the *Trustee Act* for the investment of trust funds, moneys of the corporation not immediately required for its purposes. R.S.O. 1980,
c. 512

8.—(1) In this section, “Library Board” means The London Public Library Board. Interpretation

(2) The Library Board may from time to time convey to the Gallery by way of gift, and without receiving consideration therefor, the interest of the Library Board in such works of art including, without limitation, paintings, prints, woodcuts and sculptures as the Library Board may by resolution determine, and as and from the date of each such conveyance to the Gallery the works of art so conveyed shall be used and administered in accordance with the purposes defined by any deed, will or other instrument creating any trust or obligation with respect thereto, and the Library Board shall be absolutely freed and discharged from all obligations and trusts with respect to the works of art so conveyed. Conveyance
of works of
art to
Gallery

(3) All trust funds of every nature and kind held by the Library Board for the sole benefit of the London art gallery and museum which immediately prior to the 20th day of December, 1979, were vested in and were under the control of the Library Board including, without limitation, the funds received from the Alfred James Mitchell Estate, continue to be vested in the Gallery to be used and administered in accordance with the purposes defined by the deed, will or other instrument creating such trust, and the Library Board is absolutely freed and discharged from all obligations and trusts with respect to all such trust funds. Vesting of
trusts in
Gallery

(4) All gifts, trusts, bequests, devises and grants of real or personal property or the income or proceeds thereof, heretofore or hereafter expressed by any person, body politic or corporation by deed, will or other instrument in writing to be made, given or conveyed to the Library Board solely for the London art gallery and museum shall, in so far as the same had not vested in possession or been carried into effect on the 20th day of December, 1979, in the absence of any expressed intention to the contrary set out in such deed, will or other instrument in writing, be construed as though the same had been expressed to be made to the Gallery and the executor, trustee or other person or corporation charged with the duty of carrying into effect or administering such deed, will or other instrument in writing, shall pay over or transfer all such moneys and property to the Gallery as and when the same becomes or may become payable or transferable, and the receipt of the Gallery shall be a sufficient discharge therefor. Idem

- Head office **9.** The head office of the Gallery shall be situate in the City of London in the County of Middlesex.
- Operating grant **10.**—(1) The council of the Corporation may provide an annual operating grant to the Gallery.
- Idem (2) The Corporation shall have no obligation to subsidize operating costs of the Gallery beyond any annual grants which may be made under subsection (1).
- Gallery deemed local board for purposes of R.S.O. 1980, c. 348 **11.** The Gallery shall be deemed to be, and, since the 1st day of January, 1978, to have been, a local board for the purposes of the *Ontario Municipal Employees Retirement System Act*.
- Exemption from taxation **12.** Property vested in or controlled by the Gallery shall be deemed to be exempt from taxation for municipal and school purposes in accordance with paragraph 9 of section 3 of the *Assessment Act*.
- R.S.O. 1980, c. 31
- Dissolution **13.** Subject to any obligations or trusts defined by any deed, will or other instrument creating any trust or obligation with respect to the works of art owned, possessed or controlled by the Gallery, the property of the Gallery upon its dissolution shall be distributed after the payment of all debts and liabilities to the Corporation or to such organizations, having objects similar to those of the Gallery, as may be designated by the council of the Corporation, to be used for the purpose of such objects.
- Repeals **14.** The following are repealed:
1. Section 5 of *The City of London Act, 1974*, being chapter 148.
 2. Section 13 of *The City of London Act, 1977*, being chapter 92.
 3. Section 2 of *The City of London Act, 1978*, being chapter 128.
 4. Section 4 of *The City of London Act, 1979*, being chapter 129.
- Commence-ment **15.** This Act comes into force on the day it receives Royal Assent.
- Short title **16.** The short title of this Act is the *London Regional Art Gallery Act, 1984*.